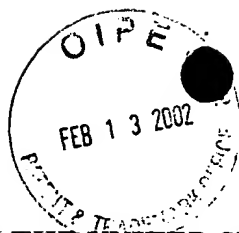


AXIAMD.006A



COPY OF PAPERS
ORIGINALLY FILED

PATENT 2-27-02
DB
#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andrew H. Cragg et al.)
App. No. : 09/782,534)
Filed : February 13, 2001)
For : APPARATUS FOR PERFORMING A)
DISCECTOMY THROUGH A TRANS-)
SACRAL AXIAL BORE WITHIN THE)
VERTEBRAE OF THE SPINE)
Examiner : Unknown)

TECHNOLOGY CENTER R3700

FEB 20 2002

RECEIVED

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCAION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone

App. No. : 09/78 4
Filed : February 13, 2001

(949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

AXIAMED, INC.

Dated: 12/20/01

By: George Wallace
George Wallace

Title: President & Chief Executive Officer

Address: 5200 Willson Road, Suite 150
Edina, MN 55424

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COPY

PATENT

Application No.: 09/782,534
Filing Date: February 13, 2001

Client Code: AXIAMD.006A
Page 1

ASSIGNMENT

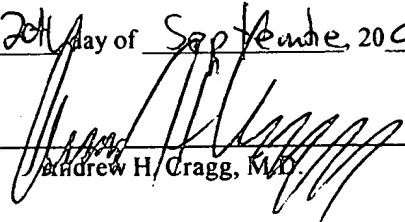
WHEREAS, We, Andrew H. Cragg, M.D., a United States citizen, residing at 4502 Edina Blvd., Edina MN 55432, Jonathan Kagan, a United States citizen, residing at 200 Homedale Rd., Hopkins, MN 55433 have invented certain new and useful improvements in a METHODS AND APPARATUS FOR PERFORMING THERAPEUTIC PROCEDURES IN THE SPINE for which we have filed an application for Letters Patent in the United States, 09/782,534 filed on February 13, 2001;

AND WHEREAS, AXIAMED, INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 5200 Willson Road, Suite 150, Edina, MN 55424, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20th day of September, 2001



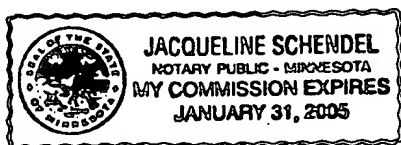
Andrew H. Cragg, M.D.

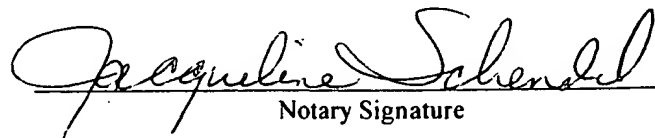
STATE OF Minnesota }
COUNTY OF Hennepin } ss.

On 9/20/01, before me Jacqueline Schendel, personally appeared Andrew H. Cragg, M.D. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

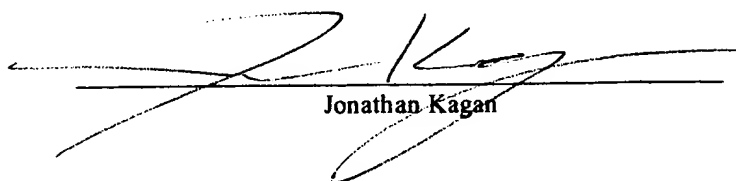
[SEAL]





Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3 day of October, 2001

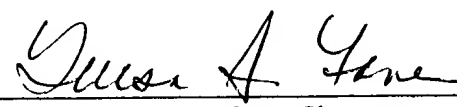

Jonathan Kagan

STATE OF Minnesota }
COUNTY OF Hennepin } ss.

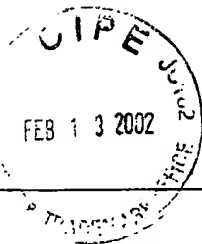
On October 3, 2001, before me, TERESA A. FANE, personally appeared Jonathan Kagan personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]


Notary Signature





COPY OF PAPERS
ORIGINALLY FILED

3731

PATENT

Case Docket No. AXIAMD.006A
Date: January 28, 2002

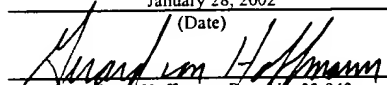
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Andrew H. Cragg, M.D. et al.
Appl. No. : 09/782,534
Filed : February 13, 2001
For : APPARATUS FOR
PERFORMING A
DISCECTOMY THROUGH
A TRANS-SACRAL AXIAL
BORE WITHIN THE
VERTEBRAE OF THE
SPINE
Examiner : Unknown
Group Art Unit : 3731

I hereby certify that this correspondence and all
marked attachments are being deposited with the
United States Postal Service as first class mail in
an envelope addressed to: Assistant Commissioner
for Patents, Washington, D.C. 20231, on

January 28, 2002

(Date)


Gerard von Hoffmann, Reg. No. 33,043

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TECHNOLOGY CENTER R3700

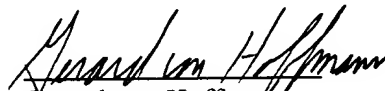
TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A power of attorney form and copy of assignment.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410. A duplicate copy of this sheet is enclosed.
- (X) Return prepaid postcard.


Gerard von Hoffmann
Registration No. 33,043
Attorney of Record